



TRAI Floats Consultation Paper on Data Speed

Since February 2017, CUTS has been working on 'Consumer Broadband Labels' initiative to advocate for adoption of broadband labels that will help eradicating information asymmetry and assist Indian consumers in making an informed choice while purchasing or using a broadband service. On June 01, 2017, Telecom Regulatory Authority of India (TRAI) released a consultation paper on 'Data Speeds under Wireless Broadband Plans' that explores issues such as information asymmetry and incomplete information disclosure, poor wireless broadband speeds and need for disclosure and measurement tools such as broadband facts/labels.

In light of the above, CUTS organised a series of focussed group discussions (FGDs) in Bhopal, Jaipur and Kolkata respectively with TRAI regional officers, telecom/internet service providers (TSPs/ISPs), consumer groups and academia. The objective of these FGDs was to deliberate on various questions put up in the consultation paper and understand how broadband labels could play a role as a measurement tool to ensure better Quality of Service (QoS) and Quality of Experience (QoE) for broadband consumers in India.

The paper focussed on identifying challenges related to data speeds and how measurements and benchmarking could assist consumers to compare wireless broadband services, leading to informed decision making.



These discussions were an ideal platform for stakeholders to express their views on the subject, along with TSPs/ISPs sharing technical knowledge of wireless broadband that made participants more aware. TRAI Jaipur Regional office actively participated by sharing their experience of analysing data generated by 'TRAI MySpeed' mobile application and how it helps them to access real-time inputs from consumers. Consumer groups voiced issues related to confusion and lack of awareness on various QoS issues.

CUTS was able to ensure that constructive outputs emerge from these FGDs that added immense value to the consultation process.

CUTS comments are available at: http://www.cuts-ccier.org/pdf/Advocacy-CUTS_submission_on_TRAI_Consultation_for_Data_Speeds_under_Wireless_Broadband_Plans.pdf

Sustainability of Business vs. Sanctity of Contract

CUTS in partnership with CUTS Institute for Regulation & Competition (CIRC) and Nehru Memorial Museum and Library organised a Roundtable discussion on the subject in New Delhi on June 24, 2017.



L-R: Nitin Desai, Pradeep S Mehta, Shakti Sinha and Geeta Gouri

upon by various experts in the Forum.

In this backdrop, a Roundtable was organised to further initiate deliberations on the judgment and ponder upon the way forward for stakeholders. It was moderated by Nitin Desai, President, CIRC Governing Council. The catalysts to the discussion were Pramod Deo, former Chairman, Central Electricity Regulatory Commission (CERC); Amit Kapur, Senior Partner, JSA, New Delhi; and Shantanu Dixit, Group Coordinator, Prayas Energy Group. The event witnessed participation from several stakeholders including industry, former regulators, think-tanks, academia, media and consumer organisations.

Issues of economic and political importance, such as sustainability of businesses in power sector, contractual provisions, bidding mechanisms, risk sharing strategies, and Economic Impact Assessment of judicial decisions in power sector amongst others were discussed in the Roundtable.

Following the judgement of Supreme Court denying compensatory tariff to Tata Power Limited and Adani Power Limited, a debate was initiated on the e-discussion forum, 'FunComp' moderated by CUTS. The debate focussed on a key question, i.e. whether the sanctity of contract upheld by the Supreme Court should prevail over sustainability of businesses in the power sector or vice versa. The said judgement raised concerns which were reflected

Energy Transition in Asia *Assessing Political and Social Feasibility*

CUTS and Friedrich Ebert Stiftung organised an international workshop on ‘Comparative Study on the Political and Social Feasibility of Energy Transition in Asia’ in New Delhi on June 15, 2017.

The objective of the workshop was to provide an update on the draft papers on the subject for India, Vietnam and Thailand. The workshop resulted in constructive discussion where key issues, such as renewable energy ambition of India, renewable energy awareness in rural areas, job creation from renewable energy, willingness to pay costlier charge for renewable electricity, improved demand side management were discussed in detail. The role of nuclear power as a source of clean energy generation and its public acceptance was thoroughly debated.

In his opening remarks, Udai S Mehta, Deputy Executive Director,



L-R: Marc Saxer, Udai S Mehta, Ashwini Swain, Abhishek Kumar and Daljeet Singh

CUTS, spoke about the exponential growth in greenhouse gases resulting in climate change and its adverse impact on future generations. Participants comprised of academicians, green energy experts, researchers and civil society organisations (CSOs).

The project commissioned by Friedrich Ebert Stiftung (FES), is implemented in seven other Asian countries of China, Indonesia, Japan, Philippines, South Korea, Thailand, and Vietnam, which will be converted into a meta study by Miranda Schreurs, Director of the Environmental Policy Research Centre and Professor of Comparative Politics at the Freie Universität Berlin.

Restrictive policies, lack of adequate finance and single window clearances, technological immaturity etc. were identified as some of the key hurdles in the increased uptake of renewable energy adoption in India. Dr Schreurs in her concluding remarks emphasised on increased renewable energy share as a key driver of developing economies which could only be achieved through a holistic approach by academicians, government, CSOs, researchers, and energy experts.

www.cuts-ccier.org/Grow-GET/

Consumer Broadband Labels

For Greater Transparency & Informed Consumers

The Partners’ Meeting for the Consumer Broadband Labels Project was organised by CUTS and Indian Institute of Technology (IIT) Delhi, on April 06, 2017. The objective of this meeting was to present project objectives and set expectations on various activities where partners’ role was critical.



L-R: Hem Kumar, RS Sharma, Bipul Chatterjee and PV Rama Sastry

The project was officially launched at New Delhi on April 07, 2017 in the august presence of R S Sharma, the current chairman of TRAI and keynote speaker for the event who extensively spoke about the need for broadband labels in India. Other noted speakers were Bipul Chatterjee, Executive Director, CUTS; Hem Kumar Pande, former Secretary and P V Rama Sastry, Joint Secretary, Department of Consumer Affairs, Ministry of Consumer Affairs, Food & Public Distribution, Government of India.

The event also hosted two panel discussions on information disclosure and transparency and accountability for

broadband services. The first panel discussion explored ideas on building consumer awareness on TRAI data, involvement of digital/social media and simple ingredients, utility, ease of access of labels. The second one suggested and advocated on role of the government and regulators in implementing the initiative. Need of a strong consumer education and awareness drive by means of growing smartphone penetration was also felt.

www.cuts-ccier.org/broadbandlabel/

Building Capacity on Infrastructure Regulation

CUTS in association with South Asia Forum for Infrastructure Regulation (SAFIR), conducted the 16th Core Course five-day training programme on Infrastructure Regulation in Jaipur during April 24-28, 2017.

SAFIR, established in May 1999, aims at providing high quality capacity building and training on infrastructure regulation and related topics, in South Asia and to stimulate research on the subject by building a network of regional and international institutions and individuals that are active in the field.

The programme comprised 22 officials representing infrastructure regulatory commissions from various states in India, Bangladesh, Bhutan and Sri Lanka. It delved into the need and importance of introducing various reforms for better regulation-making, understanding the importance of regulations and competition in infrastructure sector; need for ownership; regulatory and competition impact assessment; and ways to ensure consumer protection in regulatory reforms in the infrastructure sector.



L-R: Udai S Mehta, Bipul Chatterjee and Geeta Gouri

www.cuts-ccier.org/SAFIR/index.htm

Perspectives on Net Neutrality

CUTS International organised a focus group discussion on Net Neutrality in Jaipur on April 11, 2017. The participants for the discussion included stakeholders from telecom service providers (TSPs), content service providers (CSPs), Start-ups and Academia along with representatives of the Telecom Regulatory Authority of India (TRAI) Regional office, Jaipur, Rajasthan.

Participants were of the opinion that the open and free nature of internet should not be altered with. Discussing the underlying principles of Net Neutrality, there was consensus amongst members who agreed to the US Federal Communications Commission's principles of no blocking, no throttling and no differential pricing. When it came to reasonable management practices, concerns were raised on defining 'discrimination' in the present context, as it has become difficult in deciding what does and does not qualify as discrimination.

Self-regulation was ruled out however TSPs voiced the need to have 'same rule for all stakeholders'. The discussion ended on the point that there should not be any impact on consumer choice in the name of innovation, as the economy benefits when consumers benefit.

www.cuts-ccier.org/Event-Roundtable_Discussion_on_Net_Neutrality.htm

Advocacy

Submission on Virtual Currencies Framework

The Government of India invited comments from the public on specific questions with respect to virtual currencies (VCs) framework. The questions included: whether VCs should be banned, regulated or observed; what measures should be taken to ensure consumer protection, and promote orderly development of VCs.

CUTS International submitted its comments on the MyGov.in portal. It was submitted that banning or directly regulating VCs will act as a major deterrent to innovations in the financial technology start-up sector of India. It would be prudent for government to engage with stakeholders, including consumer organisations, to better understand the functioning of virtual currency, its benefits, associated risks and challenges.

CUTS International submitted that in order to better understand the use cases of virtual currency and risks to consumers, the government could adopt a regulatory sandbox approach, i.e. permitting use of virtual currency in controlled environment (within specified consumer base – with informed consent, for specific time and specific purposes).

This will help design appropriate disclosure and grievance redress standards to promote consumer welfare. It will also be important for the government to take note of international developments with respect to regulation and orderly promotion of virtual currencies.

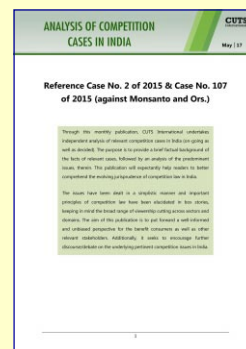
CUTS comments are available at <https://goo.gl/NPQDUx>

Analysis of Competition Cases in India

Through this monthly publication, CUTS International intends to undertake independent examination of relevant competition cases in India (ongoing as well as new ones). The objective is to provide a brief factual background of the facts of relevant cases, followed by an analysis of the predominant issues, therein. This publication will expectantly help readers to better comprehend the evolving jurisprudence of competition law in India.

The issues have been dealt in a simplistic manner and important principles of competition law have been elucidated in box stories, keeping in mind the broad range of viewership cutting across sectors and domains. The purpose of this publication is to put forward a well informed and unbiased perspective for the benefit consumers as well as other relevant stakeholders. Additionally, it seeks to encourage further discourse on the underlying pertinent competition issues in India.

www.cuts-ccier.org/Publications.htm



Representations

Arpit Tiwari participated in 9th India Coal Summit organised by Indian Chamber of Commerce in New Delhi on June 29, 2017. He made a presentation on ‘Coal Sector in India – Analysing from the lens of Competition and Regulatory Architecture’.

Priyam Purohit attended Solar Roofs India 2017 Conference organised by Solar Quarter and Rajasthan Solar Association in Jaipur on June 14, 2017.

Amol Kulkarni participated in roundtable entitled, ‘Competition in the Payments Industry’ jointly organised by Indira Gandhi Institute for Development Research and PayPal in Mumbai on June 14, 2017. He made a presentation on relationship between consumer welfare and competition in the sector.

Rohit Singh participated in the WSIS Forum 2017, organised by International Telecommunications Union, United Nations Educational, Scientific and Cultural Organisation, United Nations Conference on Trade and Development and United Nations Development Programme at Geneva, Switzerland during June 12-15, 2017.

Ujjwal Kumar participated as speaker in an event entitled ‘Role of Industry Associations in Influencing Healthcare Innovation and Sustainable Development in India: Opportunities, Challenges, and Policy considerations’, organised jointly by Centre for Responsible Business, New Delhi and Open University, UK at New Delhi on May 19, 2017.

Ujjwal Kumar made a presentation a session entitled ‘Global mergers in the food sector and competition law and policy’ in the 7th St. Petersburg International Legal Forum at St. Petersburg, Russia during May 16-20, 2017.

Pradeep S Mehta participated in the Annual Conference of the International Competition Network (ICN) in Porto, Portugal on May 10-12, 2017.

Advocacy through Media

Doubling of farmers’ income needs more imagination

Asian Age, June 05, 2017

By Pradeep S. Mehta, Ujjwal Kumar and Abhishek Kumar

Many governments have come and gone promising a better future for India’s farmers yet the farming community continues to live in distress around the country...Prime Minister Narendra Modi’s goal of doubling farmers’ income by 2022 thus is a brave claim.

[www.cuts-ccier.org/Article-](http://www.cuts-ccier.org/Article-Doubling_of_farmers_income_needs_more_imagination.htm)

[Doubling_of_farmers_income_needs_more_imagination.htm](http://www.cuts-ccier.org/Article-Doubling_of_farmers_income_needs_more_imagination.htm)

Getting GST right

Tribune India, June 19, 2017

By Pradeep S Mehta, Amol Kulkarni and Sanjay Kumar Mangla

Prevent overcharging and ensure benefits are passed on to customers. AFEW days remain for the adoption of the first-ever competition reform since Independence to create a seamless national market without any distortions.

www.cuts-ccier.org/Article-Getting_GST-right.htm

NITI Aayog and the emperor’s clothes

Live Mint, May 25, 2017

By Pradeep S. Mehta

One of the key decisions taken by the government on assumption of office was to dismantle the Planning Commission, and replace it with a new body, the National Institution for Transforming India (NITI) Aayog. NITI Aayog was expected to act as the principal government think tank and adviser to the Prime Minister on key policy issues, which can really transform India.

www.cuts-ccier.org/Article-NITI_Aayog_and_the_emperors_clothes.htm

Economically responsible justice

Live Mint, April 27, 2017

By Pradeep S Mehta

Judges need to understand the complex linkages between various areas of governance and economic and legal activity today.

www.cuts-ccier.org/Article-Economically_responsible_justice.htm